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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEAN A. SCHWARTZMILLER,)

Plaintiff,)

vs.)

HON. JEFFREY S. WHITE,)

Defendant.)
_____)


No. C 06-5501 JSW (PR)

**ORDER DISMISSING
COMPLAINT**

Plaintiff, who has another pending case before this Court, apparently filed here a courtesy copy of his Ninth Circuit petition for a writ of mandamus. The document bears a title reflecting that it was intended to be filed in that court. However, the Clerk of this Court opened a new matter and filed the document as a complaint in this Court. As this matter was apparently opened in error, Plaintiff's action is now DISMISSED. The Clerk of Court shall enter judgment on this matter and close the file.

IT IS SO ORDERED.

DATED: November 29, 2006



JEFFREY S. WHITE
United States District Judge